

Exhibit D

Vinson&Elkins

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October 24, 2019

Via Hand Delivery

United States Magistrate Judge Dena Palermo
United States Courthouse
515 Rusk Street
Houston, Texas 77002

Re: *Conley Wallace, et al. v. Quality Electric Steel Castings*; 4:19-cv-329

Dear Judge Palermo:

I am writing you because we have encountered a problem with respect to the agreement that we reached at the conclusion of our mediation on October 17, 2019.

I sent a copy of the Settlement Agreement to Mr. Kennard on October 21, 2019. Mr. Kennard requested one change—that I include a provision that the Company would provide neutral references if they received any inquiries about the Plaintiffs—which I immediately added to the Agreement. I have attached a copy of that revised Agreement to this letter.

On Tuesday afternoon, Mr. Kennard sent me an e-mail stating, “In a stunning turn of events, my clients now refuse to sign and settle.” In response, I told Mr. Kennard that I was certainly willing to consider further edits to the proposed Agreement, if his clients were uncomfortable with the language.

Because Mr. Kennard was out sick we were not able to talk on the telephone until this afternoon, when Mr. Kennard advised me that Ms. Thornton is only willing to dismiss her age claim and not her sex or disability discrimination claim even though these were claims that had been specifically raised in the lawsuit, not to mention the fact that we agreed that there would be a general release of all claims related to the Plaintiffs’ employment regardless of whether they had been asserted. It also appears that Ms. Thornton has persuaded the other two plaintiffs not to dismiss their claims even though they had only asserted claims of age discrimination.

V&E

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Based on these events, it appears that we will need to return to your court for further discussions.

Very truly yours,



A handwritten signature in black ink, appearing to read "Christopher V. Bacon".

Christopher V. Bacon

Enclosure

cc: Alfonso Kennard Jr. (w/enc.)
By Email: alfonso.kennard@kennardlaw.com